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## NOTICE OF ALLOWANCE AND FEE(S) DUE

22891 7590 04/03/2009

LAW OFFICE OF DELIO & PETERSON, LLC.  
121 WHITNEY AVENUE  
3RD FLOOR  
NEW HAVEN, CT 06510

EXAMINER

LIN, JAMES

ART UNIT

PAPER NUMBER

1792

DATE MAILED: 04/03/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/707,181

11/25/2003

Milton Rodriguez

VINM100001000

1180

TITLE OF INVENTION: VEHICLE IDENTIFICATION MARKING SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	07/06/2009

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
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Alexandria, Virginia 22313-1450  
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

22891 7590 04/03/2009

**LAW OFFICE OF DELIO & PETERSON, LLC.**  
121 WHITNEY AVENUE  
3RD FLOOR  
NEW HAVEN, CT 06510

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,181	11/25/2003	Milton Rodriguez	VINM100001000	1180

TITLE OF INVENTION: VEHICLE IDENTIFICATION MARKING SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	07/06/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
LIN, JAMES	1792	427-157000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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10/707,181	11/25/2003	Milton Rodriguez	VINM100001000	1180
22891	7590	04/03/2009	EXAMINER	
LAW OFFICE OF DELIO & PETERSON, LLC. 121 WHITNEY AVENUE 3RD FLOOR NEW HAVEN, CT 06510			LIN, JAMES	
			ART UNIT	PAPER NUMBER
			1792	
DATE MAILED: 04/03/2009				

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 989 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 989 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/707,181	RODRIGUEZ, MILTON	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jimmy Lin	1792	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the after-final response filed 3/23/2009.
2. ☒ The allowed claim(s) is/are 1-11 and 15-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

/Jimmy Lin/  
Examiner, Art Unit 1792

Art Unit: 1792

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Barbara Brown on March 26, 2009.

The application has been amended as follows:

Claim 1:

A method of identifying an object comprising:

providing an object having on a surface thereof at least one layer of paint;

determining a unique discrete identification for the object;

applying the unique discrete identification to the at least one paint layer on the surface with a UV fluorescent material;

permitting the fluorescent material to migrate into the at least one paint layer, while an excess amount of fluorescent material remains on the at least one paint layer;

removing the excess amount of fluorescent material from the at least one paint layer with a solvent;

wherein the unique discrete identification created by the fluorescent material migrated into the at least one paint layer is visible at an acute angle to the object surface without the use of ultraviolet light and any intermediary layer between the viewer and the at least one paint layer, while being substantially invisible at an angle normal to the object surface; and

directly viewing the at least one paint layer at an acute angle to the object surface.

Claim 15:

A method of identifying an object comprising:

providing an object having on a surface thereof at least one layer of paint; determining a unique discrete identification for the object;

**Deleted:** without use of an ultraviolet light and without use of any intermediary layer between a viewer and the at least one paint layer, such that the unique discrete identification created by fluorescent material migrated into the at least one paint layer is visible at an acute angle to the object surface without the ultraviolet light and any intermediary layer between the viewer and the at least one paint layer, while being substantially invisible at an angle normal to the object surface.

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applying at essentially room temperature the unique discrete identification to the at least one paint layer on the surface with a liquid UV fluorescent material using a brush;

permitting the fluorescent material to migrate into the at least one paint layer at essentially room temperature, while an excess amount of fluorescent material remains on the at least one paint layer;

removing the excess amount of fluorescent material from the at least one paint layer with a solvent;

wherein the unique discrete identification created by the fluorescent material migrated into the at least one paint layer is visible at an acute angle to the object surface without the use of ultraviolet light and any intermediary layer between the viewer and the at least one paint layer, while being substantially invisible at an angle normal to the object surface; and

directly viewing the at least one paint layer at an acute angle to the object surface.

**Deleted:** without use of an ultraviolet light and without use of any intermediary layer between a viewer and the at least one paint layer, such that the unique discrete identification created by fluorescent material migrated into the at least one paint layer is visible at an acute angle to the object surface without the ultraviolet light and any intermediary layer between the viewer and the at least one paint layer, while being substantially invisible at an angle normal to the object surface.

#### Claim 17:

A method of identifying an object comprising:

providing an object having on a surface thereof at least one layer of paint;

determining a unique alphanumeric identification for the object;

creating a stencil of the unique alphanumeric identification by a) providing a stencil sheet having an adhesive backing layer attached to a release sheet, b) cutting the alphanumeric identification into the stencil sheet without cutting through the release sheet, c) removing the stencil sheet with cut alphanumeric identification and adhesive backing layer from the release sheet, d) placing the stencil sheet with cut alphanumeric identification and adhesive backing layer onto a second adhesive layer, and e) removing the stencil sheet and adhesive backing layer without the cut alphanumeric identification from the second adhesive layer, creating cut-out openings on the stencil sheet and leaving the cut alphanumeric identification on the second adhesive layer; applying the stencil sheet and adhesive backing layer with the cut-out openings to the at least one paint layer on the object surface;

applying a UV fluorescent material to the stencil sheet through the cut-out openings and on to the at least one paint layer on the surface;

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removing the stencil sheet and adhesive backing layer from the object surface, leaving fluorescent material in the form of the unique alphanumeric identification on the at least one paint layer;

permitting the fluorescent material to migrate into the at least one paint layer, while an excess amount of fluorescent material remains on the at least one paint layer;

removing the excess amount of fluorescent material from the at least one paint layer;

wherein the unique discrete identification created by the fluorescent material migrated into the at least one paint layer is visible at an acute angle to the object surface without the use of ultraviolet light and any intermediary layer between the viewer and the at least one paint layer, while being substantially invisible at an angle normal to the object surface; and

directly viewing the at least one paint layer at an acute angle to the object surface.

**Deleted:** without use of an ultraviolet light and without use of any intermediary layer between a viewer and the at least one paint layer, such that the unique discrete identification created by fluorescent material migrated into the at least one paint layer is visible at an acute angle to the object surface without the ultraviolet light and any intermediary layer between the viewer and the at least one paint layer, while being substantially invisible at an angle normal to the object surface.

#### Claim 19:

A method of secretly identifying a vehicle comprising:

providing a vehicle having a surface;

selecting a desired, unrevealed location on a portion of the vehicle surface;

determining a unique discrete identification for the vehicle;

applying the unique discrete identification to the unrevealed location on the vehicle surface with a marking fluid not normally visible in daylight when viewed normal to the vehicle surface;

permitting the marking fluid to become embedded in the vehicle surface in the form of the unique discrete identification at the unrevealed location, while leaving an excess amount of the marking fluid on the vehicle surface;

removing the excess amount of the marking fluid on the vehicle surface, such that the unique discrete identification formed by the embedded marking fluid in the vehicle surface is visible at the unrevealed location at an acute angle to the vehicle surface or by use of light other than daylight;

wherein the unique discrete identification created by the fluorescent material embedded into the vehicle surface is visible at an acute angle to the vehicle surface without the use of ultraviolet light and any intermediary layer between the viewer and the embedded marking fluid

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on the vehicle surface, while being substantially invisible at an angle normal to the vehicle surface;

directly viewing the unrevealed location of the vehicle surface at an acute angle;

recording' the unique discrete identification and the unrevealed location on the vehicle surface in a searchable database for retrieval in the event that the vehicle needs to be identified.

**Deleted:** without use of an ultraviolet light and without use of any intermediary layer between a viewer and the embedded marking fluid on the vehicle surface, such that the unique discrete identification created by fluorescent material embedded into the vehicle surface is visible at an acute angle to the vehicle surface without the ultraviolet light and any intermediary layer between the viewer and the embedded marking fluid on the vehicle surface, while being substantially invisible at an angle normal to the vehicle surface; and

The following is an examiner's statement of reasons for allowance: the prior art of record does not teach or suggest "wherein the unique discrete identification created by the fluorescent material migrated into the at least one paint layer is visible at an acute angle to the object surface without the use of ultraviolet light and any intermediary layer between the viewer and the at least one paint layer, while being substantially invisible at an angle normal to the object surface" in combination with the other claim limitations.

The amendments were made to clarify that the limitation of "without the use of . . . any intermediary layer between the viewer and the at least one paint layer" only describes a property of the embedded fluorescent material and not the method of viewing because the embedded fluorescent material would still be visible when viewed through a clear coat on the paint (see, e.g., paragraph [0041] of the publication of the present specification U.S. Publication No. 2005/0112275) or through a viewer's sunglasses. The amendments would avoid any potential 112, first paragraph issues with the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy Lin whose telephone number is (571)272-8902. The examiner can normally be reached on Monday thru Friday 8AM - 5:30PM.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jimmy Lin/  
Examiner, Art Unit 1792

/Timothy H Meeks/  
Supervisory Patent Examiner, Art Unit  
1792